

JERRY S. BUSBY
Nevada Bar #001107
COOPER LEVENSON, P.A.
3016 West Charleston Boulevard - #195
Las Vegas, Nevada 89102
(702) 366-1125
FAX: (702) 366-1857
jbusby@cooperlevenson.com

Attorneys for Defendants
SMITH'S FOOD & DRUG CENTERS, INC.
THE KROGER CO.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

STEPHEN SNYDER, individually, and as
Administrator of the Estate of Shirley Snyder;
ERNIE SNYDER, individually; and
SANDFORD SNYDER individually;

Plaintiffs,

vs.

SMITH'S FOOD AND DRUG CENTERS,
INC, a foreign corporation, KROGER CO. a
foreign corporation; DOES I through X,
inclusive; and ROE CORPORATIONS I
through X, inclusive,

Defendants.

Case No. 2:22-cv-02029-RFB-NJK

**STIPULATION AND ORDER TO
DISMISS DEFENDANT KROGER CO.,
WITHOUT PREJUDICE**

WHEREAS, counsel for Defendant SMITH'S FOOD & DRUG CENTERS, INC. has represented that the SMITH'S grocery store involved in this litigation and the electric cart used by decedent, Shirley Snyder, at the time of her accident at the SMITH'S store in question, were owned and controlled by SMITH'S and that Defendant, THE KROGER CO., is not a necessary party to this litigation;

IT IS HEREBY STIPULATED by and between SMITH'S FOOD & DRUG CENTERS, INC., ("SMITH'S") by and through its counsel, JERRY S. BUSBY, ESQ., of the law firm COOPER LEVENSON, P.A., and Plaintiffs STEPHEN SNYDER, individually, and as Administrator of the

///

///

///

1 Estate of Shirley Snyder, et. al., by and through their counsel, JACOB S. SMITH, ESQ. of the law
2 firm HENNESS & HAIGHT, that Defendant THE KROGER CO. be dismissed from this case,
3 without prejudice.

4 DATED this 11th day of January, 2023.

5 HENNESS & HAIGHT

COOPER LEVENSON, P.A

6 /s/ Jacob S. Smith

/s/ Jerry S. Busby

7 JACOB S. SMITH, ESQ.

JERRY S. BUSBY, ESQ.

8 Nevada Bar No. 010231

Nevada Bar No. 001107

8 8972 Spanish Ridge Avenue

3016 West Charleston Boulevard - #195

9 Las Vegas, Nevada 89148

Las Vegas, Nevada 89102

(702) 862-8200

(702) 366-1125

Attorneys for Plaintiffs

Attorneys for Defendants

10 STEPHEN SNYDER, et. al.

SMITH'S FOOD & DRUG CENTERS, INC.

THE KROGER CO.

11
12
13
14 **ORDER**

15 IT IS SO ORDERED:

16 DATED this 13th day of January, 2023.

17
18 
19 RICHARD F. BOULWARE, II
20 UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26
27
28